

Modernizing the BC Motor Vehicle Act

25 Recommendations listed in the Position
Paper developed by the Road Safety Law
Reform Group of British Columbia

Members of the Group include:

HUB Cycling

British Columbia Cycling Coalition

Trial Lawyers Association of British Columbia

health and safety researchers

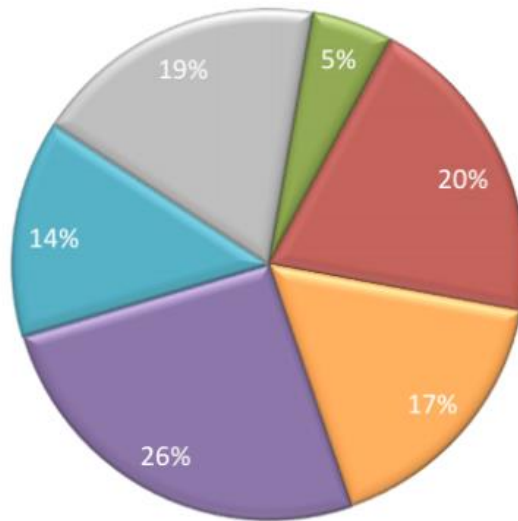


Traffic has Changed

- The BC Motor Vehicle Act (the “MVA” or the “Act”) was originally passed in 1957, written with motorists in mind.
- Number of motor vehicles on our road has increased 1400% since the writing of the MVA + far heavier trucks now. Cycling has increased over 300% in that same time.

BC Residents

Q3. Which statement best describes you? I ride my bicycle...



- Daily (5 or more times/week)
- Weekly but not daily (2-4 times/week)
- Less than once a week but more than once a month (12-51 times/year)
- Less than once a month but at least once a year (1-11 times/year)
- Less than once a year
- Never / I don't ride a bicycle for any purpose

Metro Vancouver Residents

Percentage Growth in Travel by Mode for Metro Vancouver

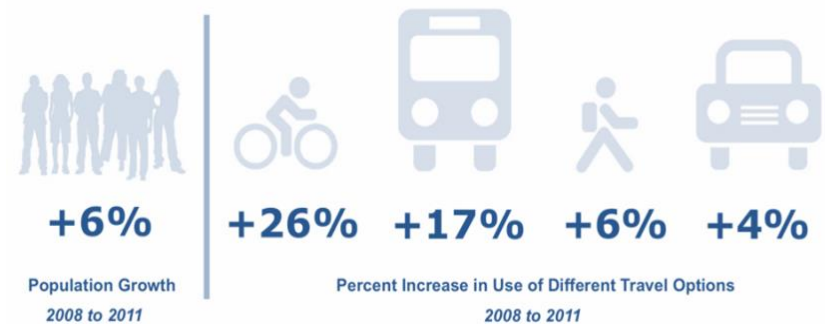
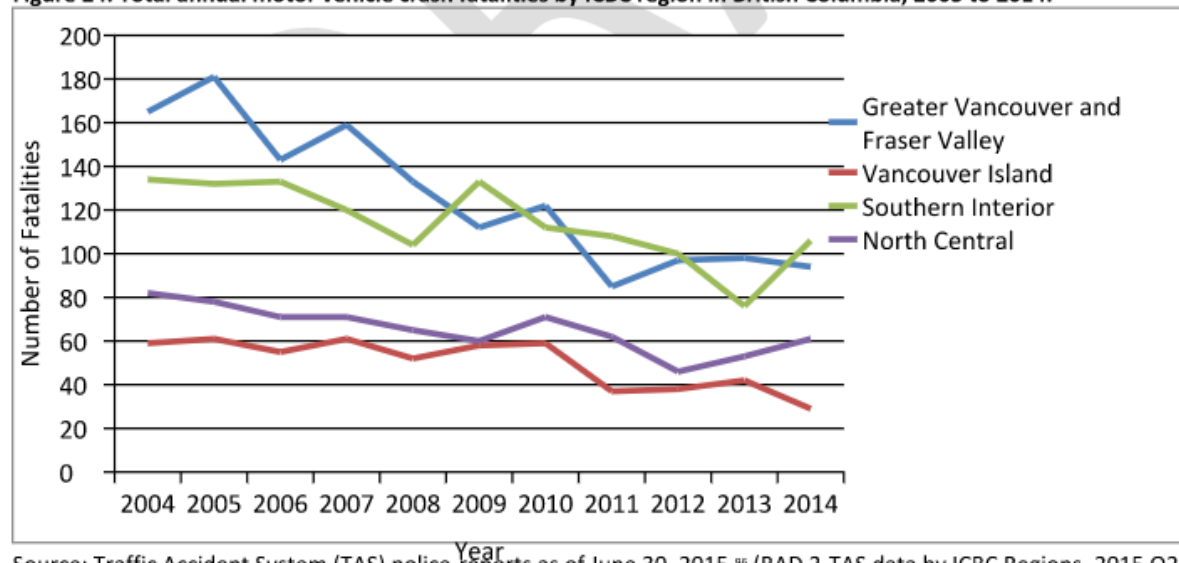


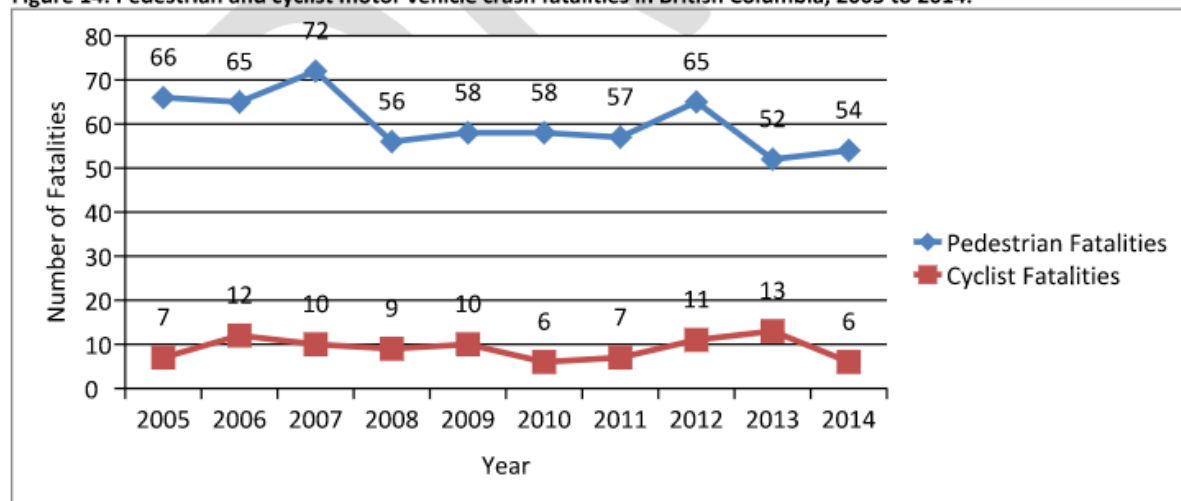
Figure 24. Total annual motor vehicle crash fatalities by ICBC region in British Columbia, 2005 to 2014.



Source: Traffic Accident System (TAS) police-reports as of June 30, 2015.⁹⁶ (RAD 2-TAS data by ICBC Regions_2015 Q2). ICBC regions are: Lower Mainland, Vancouver Island, Southern Interior, North Central, and Unknown.

Figure 14 also shows that the number of pedestrian and cyclist crash fatalities has not demonstrated clear improvement over the last 10-year period.

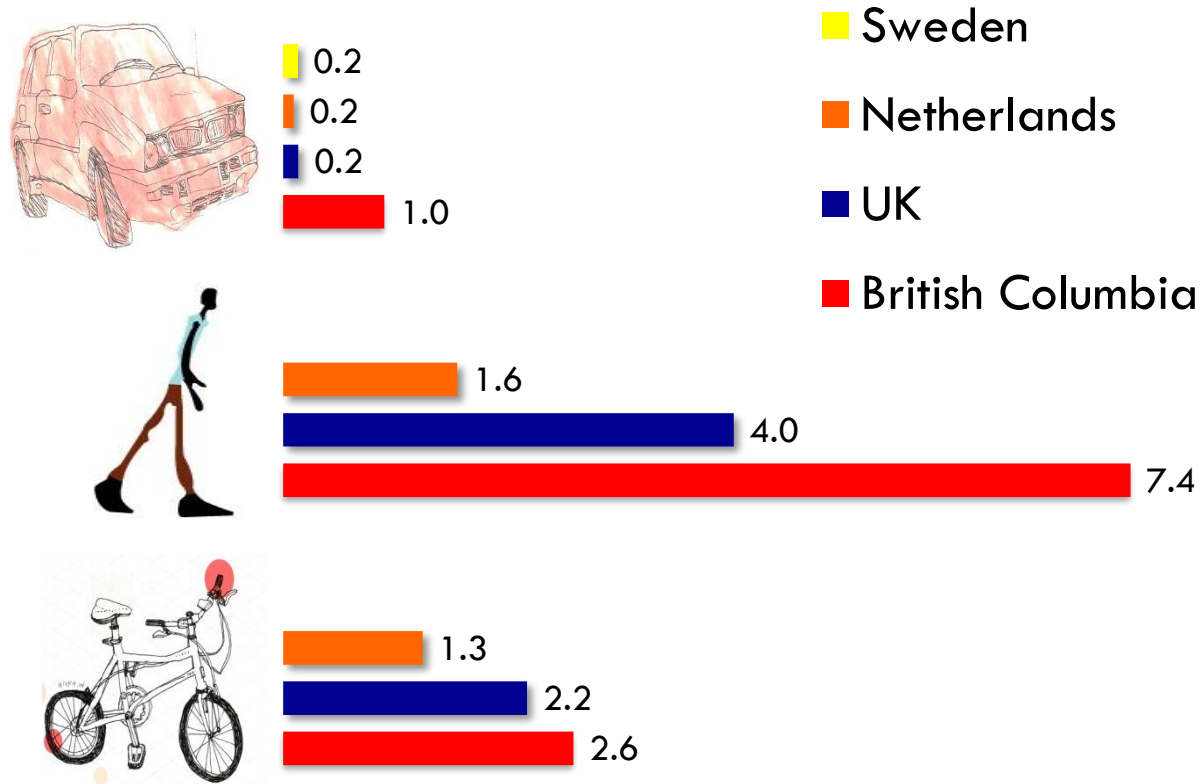
Figure 14. Pedestrian and cyclist motor vehicle crash fatalities in British Columbia, 2005 to 2014.



Source: Traffic Accident System (TAS) police-reports as of June 30, 2015.⁵⁶ (RAD 2-TAS data by ICBC Regions 2015 Q2). Discharge Abstract Database, British Columbia Ministry of Health. Data for 2005 to 2011 drawn from: RAD-E 2015-009.⁵⁷ Data for 2012 to 2014 drawn from: RAD-E 2015-004.⁵⁸

BC Road Safety
Strategy research,
January 2016:
*“as a
proportion of
total serious
injuries
involving motor
vehicle crashes,
cyclists actually
constitute an
increasingly
greater share.”*

Deaths per 100 million km

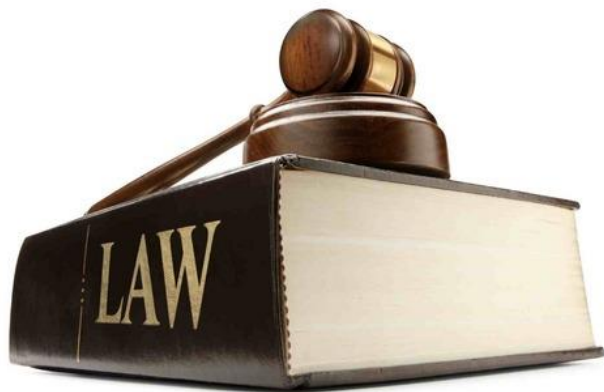


Flickr art: mitopencourseware, nyoin, Will Laren

Sources: Teschke et al., Can J Public Health, 2012; IRTAD, Road Safety Annual Report, 2013

Research-Based Recommendations for Reform

The proposed reforms contained in this position paper have been developed following a review of the legislative history and jurisprudence, available scientific evidence, and case studies of BC road users.



Aims of Reform

- clarifying the rights and duties of road users to improve understanding and compliance and reduce conflict between all road user groups,
- acknowledging the fundamental differences between road user groups' capabilities and vulnerabilities, and recognizing the increased risks faced by more vulnerable classes of road users,
- aligning the law with best practices for safer road use by vulnerable road users,
- reducing the likelihood of a collision involving a vulnerable road user,
- prioritizing enforcement of laws that target activities most likely to result in collisions, injuries and fatalities, and reducing the likely severity

Example recommendations

- Lower default speed limit on local streets
- Increased dooring penalties
- Safe passing and following distance
- Indicate safer use of roundabouts & traffic circles
- Introduce penalty for obstruction of a bike lane
- Clarity on passing on the right as a cyclist

Where the Rubber Meets the Road:

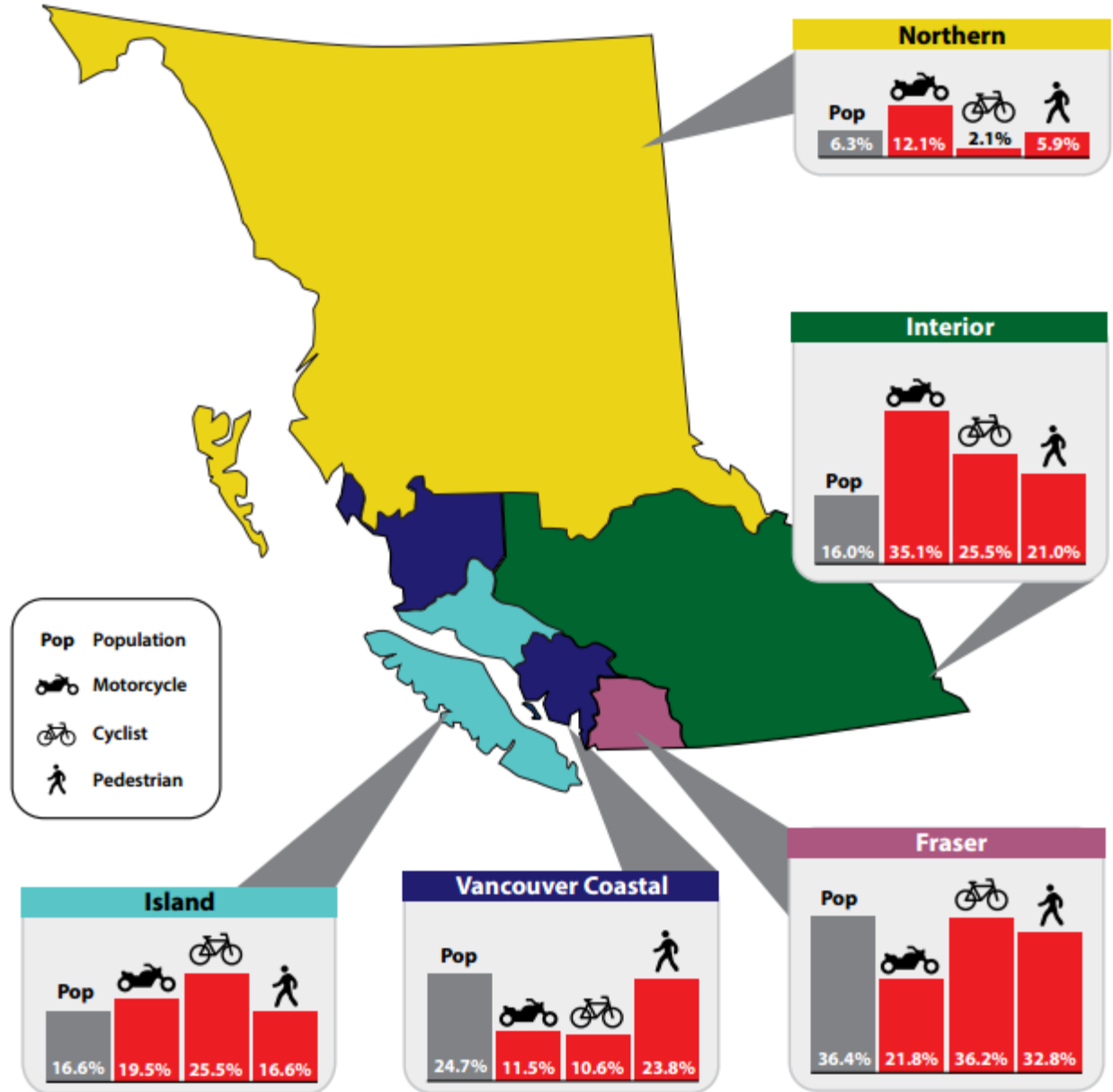
Reducing the Impact of Motor Vehicle Crashes on Health and Well-being in BC



PHO calls for reduced motor vehicle speeds, especially speeds of 30 km/h and less

Figure 4.3

Proportion of Population and Motor Vehicle Crash Fatalities, by Vulnerable Road User Type and Health Authority, BC, 2009-2013



BC Needs to Catch Up

DOORING PENALTIES

ONTARIO:

UP TO \$1,000 +

THREE DEMERIT POINTS



BC:

\$81 +

TWO

DRIVER PENALTY POINTS

Full List of Recommendations

1. Change the Name of the Act to be more Neutral
2. General Rules
 - Classification of Road Users
 - Definition of a Cycle
 - Motor Assisted Cycle Due Care and Attention/Reasonable Consideration
 - Municipal Speed Limits
 - Default Speed Limit on Local Streets
3. Rules Relating to Motor Vehicle–Bicycle Interactions
 - “The same rights and duties as the operator of a vehicle”
 - Safe Passing Distance
 - “As far to the right as is practicable”
 - Passing on the Right
 - Rights of Way
 - Roundabouts and Traffic Circles
 - Red Traffic Arrows
 - Rail Tracks and Cattleguards
 - Following too closely
 - Riding Abreast
 - Riding on or Astride the Seat .
 - Signaling by the Operator of a Cycle
 - Seizure of Cycle
4. Rules Relating to Pedestrian-Cyclist Interactions
 - Sidewalks
 - Access to Cyclist or Pedestrian Controlled Traffic Signals
 - Crosswalks
5. Offences
 - Dooring
 - Obstruction of a Travel Lane Designated for the Use of Cycles

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